

### **REMARKS**

Claims 11-26 and 31-37 are now pending in the application. Applicant thanks the Examiner for the courtesies extended in the telephonic interview of November 30, 2005, to Applicant's representative, Jason A. Heist. In the telephonic interview, proposed amendments to the claims were discussed. No agreement, however, was reached. Notwithstanding, the Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-2 and 4-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Romanack et al. (U.S. Pat. No. 6,413,574). This rejection is respectfully traversed.

Claims 1-2 and 4-5 are cancelled. This rejection, therefore, is moot.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-2, 4-10, 14-16 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Enick et al. (U.S. Pat. No. 6,183,815) in view of Romanack et al. (U.S. Pat. No. 6,413,574). This rejection is respectfully traversed.

Claims 1-10 are cancelled. The rejection under 35 U.S.C. § 103(a) of claims 1-2 and 4-10, therefore, is moot. With respect to claims 14-16 and 26, these claims are amended to depend from claim 11, which has been rewritten in independent form. Claim 11 now recites a method of fabricating a layer on a substrate comprising a step of forming the layer, wherein the step of forming the layer includes using carbon dioxide,

and depositing a sulphur-containing compound that includes a moiety represented by the formula  $Y-(CF_2)_m-CF_2-(CH_2)_n-CH_2-X$ . X is sulphur, Y is a functional group, m and n denote a number of fluorinated and non-fluorinated carbon atoms, respectively, and m and n lie within the range of 1 to 20. This subject matter was previously found in former claims 1 and 7. The subject matter of former claim 7 was indicated by the Examiner as being allowable. Because claim 11 includes the allowable subject matter of former claim 7, Applicant respectfully asserts that claim 11 and each corresponding dependent claim are now in condition for allowance.

Claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Enick et al. (U.S. Pat. No. 6,183,815) in view of Romanack et al. (U.S. Pat. No. 6,413,574), as applied to claims 1-2, 4-10, 14-16 and 26 above, and further in view of Hoy et al. (U.S. Pat. No. 5,108,799).

Claim 3 is cancelled. This rejection, therefore, is moot.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are respectfully requested.

#### **ALLOWABLE SUBJECT MATTER**

The Examiner states that claims 11-13 and 17-25 would be allowable if rewritten in independent form. Accordingly, Applicant has rewritten claims 11 and 17 in independent form. Therefore, Applicant respectfully asserts that the application should now be in condition for allowance.

### **NEW CLAIMS**

New claims 31-37 have been added. These claims are supported throughout the specification as originally filed. No new matter has been added.

New claims 31-37 depend from either independent claim 11 or independent claim 17. As stated above, claims 11 and 17 were indicated as being allowable if rewritten in independent form. Because claims 11 and 17 have been rewritten in independent form, Applicant respectfully asserts that these claims, and each corresponding dependent claim, are in condition for allowance.

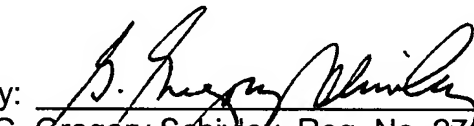
Favorable consideration of these new claims is respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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